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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,522	02/26/2004	Abhay Rangnekar	40921-0002	6878
25213 7590 07/17/2007 HELLER EHRMAN LLP 275 MIDDLEFIELD ROAD MENLO PARK, CA 94025-3506			EXAMINER VETTER, DANIEL	
			ART UNIT 3628	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/788,522

Applicant(s)

RANGNEKAR, ABHAY

Examiner

Daniel P. Vetter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 62-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 and 62-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/31/2005</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 1-68 were previously pending in this application. In the response filed May 21, 2007 Applicant canceled claims 38-61 and 66-68. Claims 1-37 and 62-65 are currently pending in this application.

Election/Restrictions

1. Applicant's election of Invention I in the reply filed on May 21, 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

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4. Claims 1 and 62 are objected to because of the following informalities: for the sake of clarity and completeness, at its introduction in the independent claims the acronym "ATM" is preferably written out in its full form. Appropriate correction is required.
5. Claim 8 is objected to because of the following informalities: the claim contains extra spacing and punctuation. Appropriate correction is required.
6. Claim 18 is objected to because of the following informalities: the claim contains extra punctuation in line 1. Appropriate correction is required.
7. Claim 22 is objected to because of the following informalities: "the gather information" appears to be a grammatical error. Appropriate correction is required.
8. Claim 23 is objected to because of the following informalities: "is provides" appears to be a grammatical error. Appropriate correction is required.
9. Claim 62 is objected to because of the following informalities: the claim ends with a colon rather than a period. Appropriate correction is required.
10. Claim 65 is objected to because of the following informalities: the claim does not end with a period. Appropriate correction is required.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
12. Claims 4 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
13. Claim 4 recites the limitation "the host" in line 1. There is insufficient antecedent basis for this limitation in the claim.

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14. Claim 29 appears to contain a sentence fragment appended to the end of the claim. The limiting effect on the claim is unclear, and for examination purposes examiner is interpreting this fragment as a left-over typographical error.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 1-7, 9-21, 23-27, 29-35, 37, and 62-65 are rejected under 35 U.S.C. 102(b) as being anticipated by Sehr, U.S. Pat. No. 6,085,976 (Reference A of the attached PTO-892).

17. As per claim 1, Sehr teaches a method of booking, comprising: entering at least one booking query at an ATM interface by a customer (column 1, line 30; column 9, line 23); gathering selected booking information in response to the booking query and displaying gathered booking information at ATM 12 interface (column 9, line 26); selecting a booking from the displayed gathered booking information by the customer at ATM 12 interface (column 9, line 31); and receiving a confirmation of selected gathered booking information at ATM 12 interface (column 19, lines 35-36).

18. As per claim 2, Sehr teaches the method of claim 1 as described above. Sehr further teaches the ATM includes a display screen and function display keys (column 8, line 67; column 9, line 3).

19. As per claim 3, Sehr teaches the method of claim 1 as described above. Sehr further teaches registering the customer with a host (column 4, lines 27-28).

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20. As per claim 4, Sehr teaches the method of claim 1 as described above. Sehr further teaches the host gathers the selected booking information (column 5; lines 58-59).

21. As per claim 5, Sehr teaches the method of claim 4 as described above. Sehr further teaches directing the gathered booking information by the host to ATM (column 4, lines 42-43; column 6, line 8).

22. As per claim 6, Sehr teaches the method of claim 3 as described above. Sehr further teaches the customer completes a customer profile upon registration with the host (column 9, lines 16-17; column 14, lines 20-24).

23. As per claim 7, Sehr teaches the method of claim 3 as described above. Sehr further teaches the booking as an airline ticket booking (column 4, line 5).

24. As per claim 9, Sehr teaches the method of claim 7 as described above. Sehr further teaches displaying a list of departure cities by the host at ATM 12 in response to a request by the customer to book an airline ticket (column 9, lines 23-24).

25. As per claim 10, Sehr teaches the method of claim 9 as described above. Sehr further teaches selecting by the customer at ATM a city a departure city from the list of departure cities (column 9, lines 23-24).

26. As per claim 11, Sehr teaches the method of claim 9 as described above. Sehr further teaches displaying a list of destination cities by the host at the ATM (column 9, lines 23-24).

27. As per claim 12, Sehr teaches the method of claim 9 as described above. Sehr further teaches selecting a class of travel by the customer at the ATM (column 9, lines 54-55).

28. As per claim 13, Sehr teaches the method of claim 9 as described above. Sehr further teaches selecting a type of travel by the customer at the ATM defined as one way, round way and multiple stop over (column 39, lines 43-44).

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29. As per claim 14, Sehr teaches the method of claim 9 as described above. Sehr further teaches displaying an itinerary by the host of the airline ticket booking at the ATM (column 9, line 26).

30. As per claim 15, Sehr teaches the method of claim 14 as described above. Sehr further teaches the itinerary is editable by the customer (column 9, lines 37-38).

31. As per claim 16, Sehr teaches the method of claim 14 as described above. Sehr further teaches checking availability of the itinerary of the airline booking by the host (column 9, lines 26, 60-61).

32. As per claim 17, Sehr teaches the method of claim 16 as described above. Sehr further teaches displaying availability of the itinerary of the airline booking by the host at the ATM (column 9, lines 56-57).

33. As per claim 18, Sehr teaches the method of claim 17 as described above. Sehr further teaches booking the itinerary of the airline booking by the customer at the ATM (column 9, lines 58-59).

34. As per claim 19, Sehr teaches the method of claim 18 as described above. Sehr further teaches entering a method of payment for the itinerary of the airline booking by the customer at the ATM (column 10, line 26).

35. As per claim 20, Sehr teaches the method of claim 1 as described above. Sehr further teaches entered selected booking information airline travel information is selected from at least one of, a departure city, a destination city, and a class of travel (column 9, lines 23-24).

36. As per claim 21, Sehr teaches the method of claim 1 as described above. Sehr further teaches the gathered booking information includes airline travel information selected at least one of, a departure city from a list of departure cities, a destination city from a list of destination cities, class of travel, and a fare (column 9, line 27).

37. As per claim 23, Sehr teaches the method of claim 1 as described above. Sehr further teaches receiving a confirmation of selected gathered booking information is provides a confirmation between an airline and a customer (column 15, lines 56-57).

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38. As per claim 24, Sehr teaches the method of claim 1 as described above. Sehr further teaches the booking selected is an airline booking (column 4, line 5).

39. As per claim 25, Sehr teaches the method of claim 1 as described above. Sehr further teaches the booking selected is selected from at least one of, travel arrangements, airline tickets, purchase and/or sale of stocks and other equities, purchase and sale of fixed deposit investments, gaming, musical events, sporting events, theatrical productions and media subscriptions (column 4, line 5).

40. As per claim 26, Sehr teaches the method of claim 1 as described above. Sehr further teaches the gathered booking information includes a plurality of airline flight schedules and a plurality of airline fares (column 9, lines 26-27).

41. As per claim 27, Sehr teaches the method of claim 1 as described above. Sehr further teaches entering a customer identifier at the ATM prior to entering the desired booking information (column 10, line 1).

42. As per claim 29, Sehr teaches the method of claim 1 as described above. Sehr further teaches the booking is a book and issue (column 9, line 10).

43. As per claim 30, Sehr teaches the method of claim 1 as described above. Sehr further teaches debiting an account of the customer for purchased bookings (column 10, line 36).

44. As per claim 31, Sehr teaches the method of claim 30 as described above. Sehr further teaches reversing debiting of the account if the purchased bookings are cancelled within a guideline (column 8, line 19).

45. As per claim 32, Sehr teaches the method of claim 30 as described above. Sehr further teaches the account of the customer is selected from at least one of a checking account, savings account and a credit card account (column 10, line 28).

46. As per claim 33, Sehr teaches the method of claim 1 as described above. Sehr further teaches selecting the booking creates a transaction between the customer and a booking provider (column 9, line 10).

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47. As per claim 34, Sehr teaches the method of claim 33 as described above. Sehr further teaches reversing the booking (column 7, line 49).

48. As per claim 35, Sehr teaches the method of claim 1 as described above. Sehr further teaches the confirmation of selected gathered booking information includes a travel itinerary (column 39, line 44).

49. As per claim 37, Sehr teaches the method of claim 1 as described above. Sehr further teaches selecting by the customer a financial institution for payment of purchased bookings (column 10, line 26).

50. As per claim 62, Sehr teaches a method for booking a purchase of a product or service to an ATM comprising: entering at least one booking query at an ATM interface by customer (column 1, line 30; column 9, line 23); implementing a gathering of selected booking information in response to the booking query (column 9, line 26); implementing selection of booking from the displayed gathered booking information by the customer at the ATM interface (column 9, line 31); implementing receipt of a confirmation of selected gathered booking information at the ATM interface (column 19, lines 35-36).

51. As per claim 63, Sehr teaches the method of claim 62 as described above. Sehr further teaches implementing registration of the customer with a host (column 4, lines 27-28).

52. As per claim 64, Sehr teaches the method of claim 63 as described above. Sehr further teaches implementing the steps of directing the gathered booking information by the host to the ATM (column 4, lines 42-43; column 6, line 8).

53. As per claim 65, Sehr teaches the method of claim 62 as described above. Sehr further teaches implementing a method of payment for a purchased product or service through the ATM (column 10, line 26).

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Claim Rejections - 35 USC § 103

54. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

55. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr in view of Nel, U.S. Pat. No. 6,507,823 (Reference B of the attached PTO-892).

56. As per claim 8, Sehr teaches the method of claim 3 as described above. Sehr does not teach the booking is selected from at least one of, stocks, fixed deposit investments, gaming, a musical event, sporting event and a theatrical production. Nel teaches the booking is selected from at least one of, stocks, fixed deposit investments, gaming, a musical event, sporting event and a theatrical production (column 8, lines 24-25). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Nel into the method taught by Sehr in order to fully exploit the capabilities of the ATM by offering more services (as taught by Nel, column 1, lines 29-31).

57. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr in view of DeMarcken, U.S. Pat. Pub. No. 2004/0078251 (Reference C of the attached PTO-892).

58. As per claim 22, Sehr teaches the method of claim 1 as described above. Sehr further teaches creating a first response to the booking query by the provider system (column 9, line 26); sorting the first response by the host system to create the gather information (column 9, line 26; Examiner is interpreting compiling into a set as "sorting"); and providing the gathered booking information to the ATM for review by the customer

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(column 9, line 26). Sehr does not explicitly teach formatting the at least one booking query by the host system as a string of commands that the provider system can interact with. DeMarcken teaches formatting the at least one booking query by the host system as a string of commands that the provider system can interact with (§ 0019). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of DeMarcken into the method taught by Sehr in order to reduce response time (as taught by DeMarcken; § 0005).

59. Claims 28 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr in view of Official Notice.

60. As per claim 28, Sehr teaches the method of claim 1 as described above. Sehr does not teach the booking is a book and hold. Official Notice is taken that it is old and well-known in the art of bookings to use a book and hold. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above finding of Official Notice into the method taught by Sehr, for example, so that a customer is free to cancel the booking within a certain time period.

61. As per claim 36, hr teaches the method of claim 1 as described above. Sehr does not explicitly teach the confirmation of selected gathered booking information includes an option to purchase or cancel. Official Notice is taken that it is old and well-known in the art of bookings to include an option to purchase or cancel. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above finding of Official Notice into the method taught by Sehr, for example, to give the customer a final chance to accept or not accept the booking.

Conclusion

62. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DeLorme, et al., U.S. Pat. No. 5,948,040 (Reference D of the attached PTO-892) teaches a travel reservation information and planning system that enables flexible user inquiries accessing selectable geographic, topical, temporal and

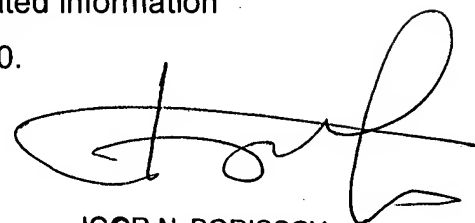
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transactional data records and relational processing; wherein sub-menus provide further capabilities: e.g. routing, topical searching; searches of events calendars, almanacs, appointment books, related itinerary scheduling; trip budgeting issues, plus travel arrangement availabilities or other goods/services offers; and wherein online communications links access updated or supplemental information on places, times, topics and other provider goods/service offers. Murch, et al., U.S. Pat. Pub. No. 2002/0173996 (Reference E of the attached PTO-892) teaches a system that enables inventory managers to participate in an on-line booking environment while not having to maintain full-time connections with an inventory server comprising wherein a consumer selects a unit of travel inventory and the selected a server formats this selection into a limited availability request that is forwarded onto an inventory manager's device.

63. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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